

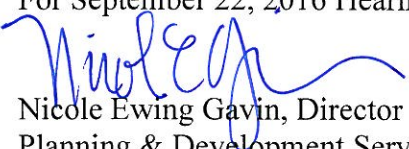


# MEMORANDUM

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DATE: August 18, 2016  
For September 22, 2016 Hearing

TO: Jim Mazzocco  
Zoning Examiner

FROM:   
Nicole Ewing Gavin, Director  
Planning & Development Services  
Director

SUBJECT: SPECIAL EXCEPTION LAND USE  
PLANNING & AND DEVELOPMENT SERVICES REPORT  
SE-16-89 Precision Toyota – Roger Road, MU (Ward3)

**Issue** – This is a request by Oscar Lizardi of Rusing, Lopez, & Lizardi on behalf of the property owner, Rowe Enterprises Incorporated, dba Precision Toyota of Tucson, for approval of a Commercial Storage use, as a special exception in the MU Mixed-Use zone. The site is located on the north side of West Roger Road; approximately four hundred (400) feet east of Fairview Avenue (see Case Location Map). The preliminary development plan (PDP) proposes vehicle storage with 293 parking spaces, twenty-five (25) foot wide PAALs, new pavement for all vehicle storage and access areas, drainage basin, water harvesting islands, and perimeter landscaping with a masonry wall. Mature trees within the drainage basin will be preserved in place. The vehicle storage facility is proposed on a 3.22 acre site. The existing single family residential building and pool will be removed as part of the redevelopment of the site.

Commercial Storage is allowed in the MU Mixed-Use zone subject to Sections 4.9.5.C.6 and 4.9.10.A of the *Unified Development Code (UDC)* and requires approval through a Zoning Examiner Special Exception Procedure, in accordance with *UDC* Section 3.4.3. .

**Planning & Development Services Department Recommendation** – The Planning & Development Services Department recommends approval of the special exception request, subject to the attached preliminary conditions.

**Background Information**

Existing Land Use: Single-Family Residential

Zoning Description

Mixed-Used Zone (MU) This zone is solely to provide comparable zoning for areas annexed into the City limits and is not intended for rezoning. Residential and select other agriculture, civic, commercial, industrial, recreational, retail, storage, utility, and wholesaling uses may be permitted that provide reasonable compatibility with adjoining residential uses.

Surrounding Zones and Land Uses:

North: Zoned MU; Mobile Home Park  
South: Zoned I-1; Trade Service and Repair  
East: Zoned MU; Charter School  
West: Zoned MU; Single-family Residential

Previous Cases on the Property: None

Related Cases:

C9-05-25 Altschul – Bellevue Street, R-1 to P This was a rezoning request for 0.85 acres located approximately 300 feet north of Speedway Boulevard to allow the development of a new surface vehicle parking lot (0.85 acres) which will provide 36 vehicle parking spaces for an existing office use located south of the rezoning site. On February 12, 2008, the Mayor and Council voted 7 to 0 to pass and adopt Ordinance No. 10500.

C9-07-33 Quebedeaux – 1<sup>st</sup> Street, R-3 to P and C-2 This was a rezoning request for 0.65 acres from R-3 to P zoning, and approximately 0.41 acres from R-3 to C-2 zoning located at the northeast corner of Holly Avenue and 1<sup>st</sup> Street for expansion to a car dealership, including a new 440 square-foot storage building and a new vehicle parking area. On April 15, 2008, the Mayor and Council voted 7 to 0 to approve the rezoning request.

**Applicant's Request** – “The applicant requests special exception approval for “commercial storage” specifically for 293 vehicle parking spaces for Rowe Enterprises Incorporated, dba Precision Toyota of Tucson.

**Planning Considerations** – Land use policy direction for this area is provided by *Plan Tucson (PT)* and the *Catalina Foothills Subregional Plan (CFSP)*. The proposed special exception site is not within a *CFSP designated* Special Area (Map Detail) and is subject to general *CFSP* site analysis policy direction, which is to implement plan policies through sensitive design and mitigation techniques that respond to site features and to the character of the surrounding neighborhood.

Plan Tucson - The special exception site is located within an area, annexed from Pima County to the City of Tucson on October 25, 2015, Ordinance 11308. As identified on the Future Growth Scenario Map of *Plan Tucson*, potential annexation areas are characterized as areas that the City of Tucson may be pursuing for annexation within the next decade, working with other local jurisdictions with the ultimate goal of having urban commercial and residential areas located within incorporated cities and towns.

The special exception site is subject to policy direction provided by the City of Tucson *Plan Tucson*, and the *Catalina Foothills Subregional Plan*. The special exception site fronts Roger Road, which is a defining boundary between the *Catalina Foothills Subregional Plan (CFSP)* located to the north and the *Pullman Neighborhood Plan (PNP)* located to the south. South across Roger Road, *PNP* supports industrial and commercial land uses, where Precision Toyota owns and operates an industrial zoned collision auto center and a commercial zoned vehicle storage lot. The existing industrial and commercial developments to the south of Roger Road are in compliance with the adjacent *Pullman Neighborhood Plan*, which supports industrial and commercial land uses along the southern boundary of Roger Road.

The northern boundary of Roger is within and subject to the *Catalina Foothills Subregional Plan* and *Plan Tucson* guidelines and policies. The more specific policy direction is provided by *Plan Tucson*, stating to protect adjacent residential development when considering non-residential uses in a neighborhood. In this case, the proposed commercial storage for an auto dealership vehicle inventory overflow parking area is being considered as a special exception in the MU Mixed-Use zone and the site is surrounded by residential development and a charter school.

The proposed development is consistent with the applicable Land Use, Transportation, and Urban Design Policies (LT) of *Plan Tucson*, and the supporting Guidelines for Development Review. *Plan Tucson* supports the utilization of solutions and strategies outlined in the Design Guidelines Manual to provide an improved level of community design such as methods to preserve and strengthen the distinctive physical character and identity of individual neighborhoods and commercial districts in the community. *Plan* policies support environmentally sensitive design that protects the integrity of existing neighborhoods, complements adjacent land uses, and enhances the overall function and visual quality of the street, adjacent properties, and the community. *Plan Tucson* Guidelines support infill and redevelopment projects that reflect sensitivity to site and neighborhood conditions and adhere to the relevant site and architectural design guidelines. *Plan Tucson* Guidelines also protect established residential neighborhoods by supporting compatible development, which may include other residential, mixed-use infill and appropriate non-residential land uses.

The site has MU Mixed-Use zone and at the present time developed with a single-family residential unit that will be removed upon redevelopment, pending special exception approval. To the west are single-family residential development in the MU zone, to north is a mobile home park community with approximately 237 units with MU zone, to the east is a charter school in the MU zone, to the south across Roger Road is an industrial area with a mix of trade service and repair and manufacture food processing in the I-1 Light Industrial zone.

The Pima Association of Governments - Transportation Planning Division (PAG-TPD) states that the proposed commercial storage (vehicles) impact on trip generation is inconclusive. Field inspection by staff indicates there are currently no billboards on the special exception site.

### **Design Considerations**

Land Use Compatibility – The special exception request is to allow vehicle inventory overflow storage for Precision Toyota of Tucson, an auto dealership located at 700 W. Wetmore Road, located approximately half a mile to the north on Wetmore Road. Security is essential for vehicles stored at the special exception site by the Precision Toyota auto dealership. Per the special exception

submittal the applicant proposes a perimeter 8 to 9 foot tall masonry wall with wrought iron fencing on top and to resemble the existing masonry at the Precision Toyota Collision Center located south across Roger Road. The collision center is an industrial development and its perimeter wall is grey cedar block wall with no design elements, color or reliefs and has barbwire fencing on top of the wall. Staff would recommend a more neighborhood friendly decorative masonry wall such as the perimeter wall at the commercial zone C-2, Precision Toyota vehicle storage yard located at 925 W. Roger Road, at the southwest corner of W. Roger Road and N. Fairview Avenue. To help mitigate the length of the perimeter walls at the special exception site, the applicant proposes landscape borders on the outside of the walls, landscape buffers will be visible to adjacent less intense land uses.

*Plan Tucson* policy addresses site design sensitivity and preservation of neighborhood character when proposing non-residential land uses adjacent to or within residential neighborhoods. The applicant states there will be no barbwire or related material on top of proposed perimeter wall. The applicant also proposes a forty (40) foot deep landscape buffer and drainage basin along the north perimeter. The north perimeter abuts a mobile home park community with approximately 237 units, established in the 1970's. Staff will recommend that the property owner monitor on-site drainage basin during monsoon seasons for potential ponding and eliminate potential mosquito larva infestation. In addition, the proposed PDP shows nearest vehicle parking spaces to be fifty-five (55) feet from the north property line, a greater setback of proposed land use from the adjacent mobile home community to the north. Proposed vehicle parking area setback will be ten (10) feet from the east and west property lines. Applicant is proposing a 10 foot wide landscape buffer along the east and west property lines. Adjacent to the inside of these side yard landscape buffers will be a masonry wall with wrought iron that will separate paved parking area from landscape buffers. The site is proposed with a secured access point at Roger Road, which will include an on-site back-up spur for vehicles denied access.

Staff recommends that hours of operations for the commercial storage (parking lot) land use be the same hours as the Precision Toyota auto dealership located at 700 W. Wetmore Road, which are 7:00 a.m. to 9:00 p.m. on Monday through Friday, and 7:00 a.m. to 8:00 p.m. on Saturday and closed on Sunday.

The proposed special exception request for commercial storage, per policy direction is subject to address compatibility through mitigation and/or site design with adjacent non-commercial land uses. Staff recommends the special exception site be used for parking Precision Toyota of Tucson over flow inventory of new and used vehicles for sale; while prohibiting storage of vehicles needing collision/body/paint, mechanical repair, or storage of damaged non-operable vehicles as such vehicles are incidental to industrial and commercial land use zones. MU is a mixed-use zone with a residential component, as evidenced by the surrounding land uses to the special exception site.

Drainage/Grading/Vegetation – The site must comply with the Rainwater Harvesting Ordinance (Ord. No. 10957). The design shall promote proper drainage over time to minimize mosquito population. The PDP indicates location of landscape buffers, but a landscape concept plan was not submitted as part of the special exception application. Staff supports the outlined 10 foot wide landscape borders on the PDP, located on the west and east perimeters. The landscape border fronting Roger Road should include canopy trees with view sheds between tree canopies to help security services patrol the site. A masonry wall with wrought iron on top of wall, fronting Roger Road should include pillars filled with wrought iron between pillars to discourage vandalism. The



landscape plan should be designed to minimize the Urban Heat Island Effect. Staff recommends that the mature native trees of greater than 4 inches in caliper located on the northern fifty-five (55) feet of the special exception site remain in place. If NPPO plan indicates some of these trees cannot be preserved due to site improvements, it is recommended that replacement trees of 15-gallon planter size and base trunk caliper of four (4) inches or greater, be planted at a ratio of three (3) trees for the one (1) removed.

Heat Island Mitigation – The City of Tucson promotes sustainable development, mitigation of Urban Heat Islands, and green building principles in the City’s Framework for Advancing Sustainability, adopted in 2008. Canopy trees should be provided to decrease the Urban Heat Island Effect, and as required by UDC Landscaping Standards. Providing healthy root zones helps trees reach their potential maximum canopy capacity. Staff recommends tree root zone have a minimum of 300 cubic feet (no deeper than 3 feet) of uncompacted (less than 90%) soil. Ninety-five percent or greater compaction is permitted if utilizing structured/engineered soil that permits compaction while allowing root development. In this case, the proposed special exception land use is for the storage of overflow inventory vehicles for an auto dealership and the site will not function as a traditional parking lot, but rather as bulk storage of vehicles with parking spacing stacked three deep to accommodate the inventory of market vehicles for an auto dealership and will only be accessed by auto dealership personal and not individual buyers. The conceptual site plan does not include pedestrian path way as sales and demonstration of vehicles will not be conducted on this site. Therefore, the standard requirements to include canopy trees within the parking area (vehicle storage) will hamper the ability to compress parking spaces (three deep) and maintain such vehicles free of debris, leaves, insect and bird activity associated with trees. Staff recommends additional transplanted native canopy trees be added to the perimeter landscape buffers and to the forty foot deep landscape and drainage basin area located on the north side of the site. As a trade-off, adding additional trees to the perimeters instead of between vehicles will increase the buffering and screening of on-site commercial storage land use associated with bulk vehicle storage activities from surrounding land uses, which include residential and a private school.

Road Improvements/Vehicular Access/Circulation – The PDP reflects that the proposed parking area will be accessed from Roger Road, through a security gate access point. Road improvements are not proposed as part of the special exception request. According to the Major Streets and Routes Map, Roger Road is a collector street with a future right-of-way of 100 feet.

Conclusion – The proposed special exception is consistent with, and supported by, the policy direction provided in the *Catalina Foothills Subregional Plan* and *Plan Tucson*. Subject to compliance with the attached recommended preliminary conditions, approval of the requested special exception is appropriate.

### PROCEDURAL

1. A development package in substantial compliance with the revised preliminary development plan (PDP), dated August 3, 2016, and the design compatibility report dated July 18, 2016, and required reports, are to be submitted and approved in accordance with the *Administrative Manual*, Section 2-06.
2. The property owner shall execute a waiver of potential claims under A.R.S. Sec. 12-1134 for this zoning amendment as permitted by A.R.S. Sec. 12-1134 (I) in the form approved by the City Attorney and titled "Agreement to Waive Any Claims Against the City for Zoning Amendment". The fully executed Waiver must be received by the Planning & Development Services Department before the item is scheduled for Mayor and Council action.
3. Historic or prehistoric features or artifacts discovered during future ground disturbing activities should be reported to the City of Tucson Historic Preservation Officer. Pursuant to A.R.S. 41-865 the discovery of human remains and associated objects found on private lands in Arizona must be reported to the Director of Arizona State Museum.
4. Any relocation, modification, etc., of existing utilities and/or public improvements necessitated by the proposed development shall be at no expense to the public.
5. Five years are allowed from the date of initial authorization to implement and effectuate all Code requirements and conditions of special exception.

### LAND USE COMPATIBILITY

6. Commercial Storage Use for market inventory of new and used vehicles.
7. Potential noise generating activities such as or comparable to power washers, detailing, and/or vacuums, shall be conducted within enclosed building(s). All doors shall face south.
8. All walls visible from a public right-of-way, and/or adjacent to existing residential development, are to be graffiti-resistant and incorporate one (1) or more visually appealing design treatments, such as the use of two (2) or more decorative materials like stucco, tile, stone, or brick.
9. Development package shall include in the plan set perimeter wall elevations with wall details that comply with special exception condition number 8.
10. Graffiti shall be removed within seventy-two (72) hours of discovery.

11. Hours of operations/activities, including delivery of vehicles shall be between 7:00 a.m. and 9:00 p.m. on Monday through Friday, and 7:00 a.m. to 8:00 p.m. on Saturday and closed on Sunday.
12. Outdoor light poles shall be a minimum distance of fifty (50) feet from the west, north, and east property lines. Light poles shall not exceed twelve feet in height. All light pole locations shall be identified in the Development Package.

#### DRAINAGE/VEGETATION/BUFFERS

13. Development package shall include the following PDSD Engineering requirements:
  - a. One hundred year threshold retention;
  - b. All hardscape surface must discharge to a water harvesting or other retention basin system;
  - c. Any ponding water deeper than 1 foot in the retention or water harvesting basins will require an infiltration test and drainage within 12 hours based on a City Staff accepted derated infiltration test result. This will be based on the type of infiltration test used; and,
  - d. The site shall be paved with a minimum pavement section of 2" AC on 4" ABC or alternative acceptable to PDSD Engineering staff.
14. The northern forty (40) feet of the site shall remain in its current state of natural terrain and vegetation, except for drainage/landscape improvements.
15. Prior to development package approval, existing trees within the landscape buffer/drainage basin (north forty feet of the site), as shown on PDP dated August 3, 2016, shall be identified to remain in place and protected by temporary fencing during on-site construction and site improvements. Exception will be if due to drainage basin requirements, some existing tree(s) may not be able to be preserved in place.
16. Perimeter masonry walls shall be placed a minimum of fifty (50) feet from the north property line, a minimum of ten (10) feet from the east and west property lines, as shown on PDP dated August 3, 2016.
17. Perimeter masonry walls shall be a minimum height of eight (8) feet, a combination of a six (6) feet tall decorative masonry wall with two (2) feet of wrought iron or comparable fence on top. Industrial security type fencing materials such as barbwire, razor-ribbon or comparable material are prohibited
18. A ten-foot wide landscape buffer shall be visible to adjacent developments to the west, north and east. Landscape buffers shall be located adjacent to exterior face of the west, north and east perimeter masonry walls.

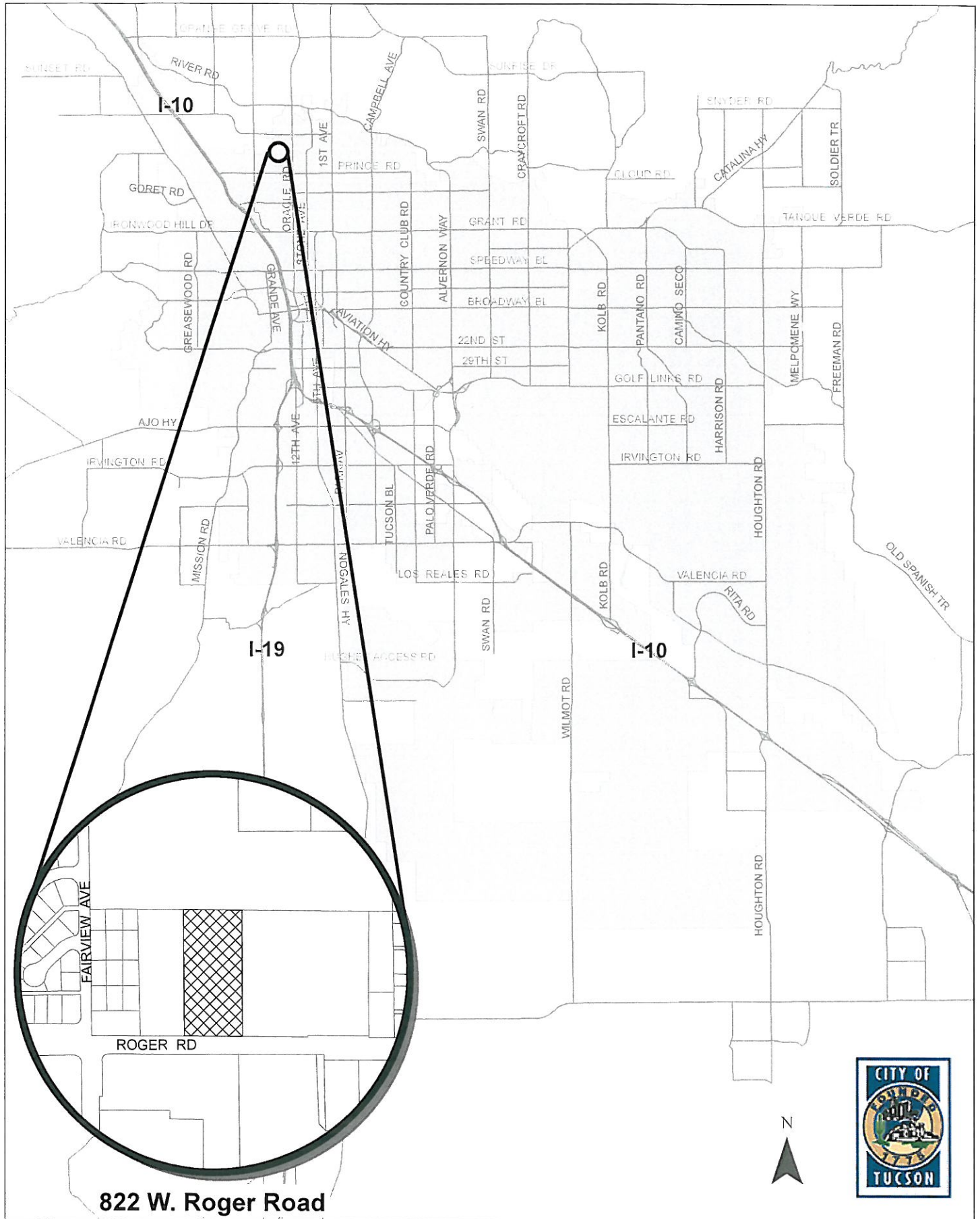
19. Six (6) inch or greater masonry block required on perimeter wall(s).

ROAD IMPROVEMENTS/VEHICULAR ACCESS/CIRCULATION

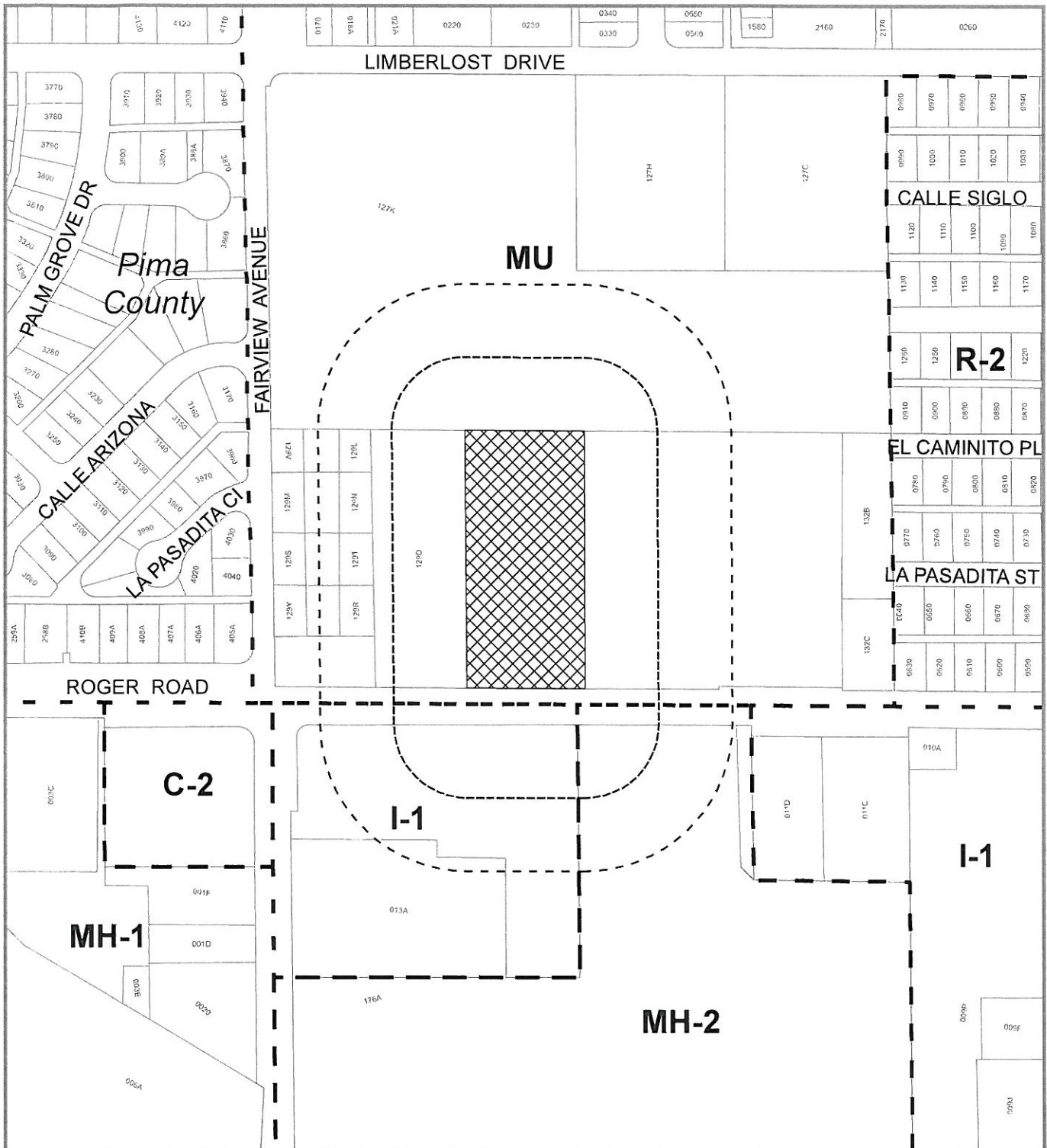
20. Development package shall include a traffic statement. The statement will need to determine if existing striping needs to be modified to accommodate new entrance driveway. Striping may need to be modified as the access points are completed.








# SE-16-89 Precision Toyota - Roger Road



# SE-16-89 Precision Toyota - Roger Road Z.E. Special Exception

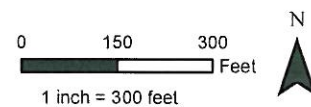


-  Area of Special Exception Request
-  150' Protest Area
-  300' Notification Area
-  Zone Boundaries
-  Zoning of Requested Area



created by: JR, 8/1/2016

Address: 822 W. Roger Road  
Base Maps: Sec.23 T.13 R.13  
Ward: 3

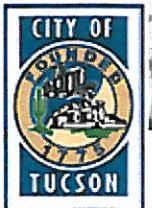




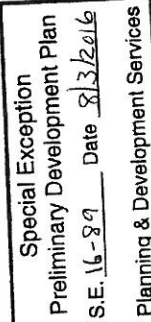
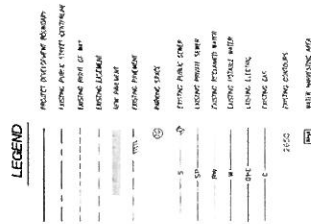


**SE-16-89 Precision Toyota - Roger Road**  
2015 Aerial

0 100 200  
Feet  
1 inch = 200 feet







**PUBLIC FACILITIES AND SERVICES REPORT FOR September 22, 2016**  
(as of August 18, 2016)

**SE-16-89 Precision Toyota – Roger Road, MU Zone**

**CITY AGENCIES**

**Planning & Development Services – Community Planning:** See attached comments dated August 4, 2016  
**Planning & Development Services – Zoning Review:** See attached comments dated August 3, 2016  
**Planning & Development Services – Engineering:** See attached comments dated August 4, 2016  
**Transportation – Traffic Engineering:** See attached comments dated August 2, 2016  
**Environmental Services:** See attached comments dated July 25, 2016  
**Tucson Police Department:** See attached comments dated August 2, 2016  
**Planning & Development Services – Sign Code:** See attached comments dated August 15, 2016

**No Objections Noted**

**Planning & Development Services - Integrated Planning Landscape:**  
**Tucson Water - New Development Section:**  
**Planning & Development Services – Landscape**  
**Tucson Fire Department**  
**Community Services – Historic Preservation Officer**  
**Tucson Parks and Recreation**

**NON-CITY AGENCIES**

**Pima County DSD, Addressing Section:** See attached comments dated July 26, 2016  
**Pima County Wastewater:** See attached comments dated August 2, 2016  
**Arizona Department of Transportation:** See attached comments dated August 3, 2016  
**Pima Association of Governments:** See attached comments dated August 16, 2016

**No Objections Noted**

**Pima County Transportation and Flood Control:**  
**Tucson Unified School District: Pima County Parks and Recreation**  
**Davis - Monthan Air Force Base**  
**Tucson Electric Power**

Additional information about this project, including the staff report to the Zoning Examiner and the Preliminary Development Plan, will be posted on the web by 5:00 PM, September 6, 2016, at <https://www.tucsonaz.gov/PRO/pro/AdvancedSearch.jsp> use activity number T16SE00089.





## Approval – Protest Form

If you wish to submit a written protest or approval, this form is provided for your convenience. Please print your comments below, sign your name, and mail to the Rezoning Section of the Planning & Development Services Department at the address on the reverse side (you will need to attach postage). The number of approvals and protests along with protest calculations will be reported at the Zoning Examiner's public hearing.

**Approvals and protests must have an owner's signature to be recorded.**

Case: **SE-16-89 Precision Toyota – Roger Road (Ward 3)**  
**MU Zone**

\_\_\_\_\_  
I/We the undersigned property owners, wish to

- ☐ APPROVE the proposed rezoning.  
☐ PROTEST the proposed rezoning.

**Reason:**

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PLEASE PRINT YOUR NAME	PLEASE PRINT MAILING ADDRESS	PLEASE PRINT LEGAL PROPERTY DESCRIPTION		
		Subdivision	Block	Lot

Owner's Signature: \_\_\_\_\_ Date \_\_\_\_\_

Place  
Stamp  
Here

City of Tucson  
**Planning and Development Services Department**  
Rezoning Section  
201 N. Stone  
P.O. Box 27210  
Tucson, Arizona 85726-7210

mp  
SE-16-89

Expose this flap - Affix stamp and return

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City of Tucson  
Planning and Development Services  
Department -Rezoning Section  
201 N. Stone Avenue  
P.O. BOX 27210  
Tucson, Arizona 85726-7210

SE-16-89 mp  
IMPORTANT REZONING NOTICE ENCLOSED